



USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #: 8/5/16  
DATE FILED: 8/5/16

ZACHARY W. CARTER  
*Corporation Counsel*

THE CITY OF NEW YORK  
LAW DEPARTMENT  
100 CHURCH STREET  
NEW YORK, NY 10007

AMY J. WEINBLATT  
Phone: 212-356-2179  
Fax: 212-356-2059  
Email: aweinbla@law.nyc.gov

**MEMO ENDORSED**

**BY ECF**

Hon. Sidney H. Stein  
United States District Judge  
Southern District of New York  
500 Pearl Street  
New York, NY 10007

Re: Rothenberg et al. v. Daus et al., No. 08-CV-00567 (SHS)

Your Honor:

We are counsel to the parties in the above-referenced matter and write to request the Court's assistance with a potential settlement of this action.

After lengthy and productive discussions, counsel for the parties have made substantial progress on a possible settlement (which would be subject to approval by the NYC Comptroller and the parties). However, there are at least three items that are in dispute. We respectfully request the Court's assistance in resolving these matters, either by scheduling a settlement conference in which the issues would be addressed by your Honor, or in referring the matter to a magistrate judge or mediator to assist in reaching a settlement.

Defendants are not requesting a stay of the litigation (e.g., pending motions); any discussions should be considered independent of the litigation now pending before the Court until a settlement is reached. Plaintiffs ask that the Court stay pending motions until a settlement conference is concluded. The parties jointly request that no conference be scheduled between

August 5, 2016

8/5/16  
The parties are to appear  
for a conference on August 29  
at 2:30 p.m. to discuss (1) the nature  
of the remaining issues 2) the parties'  
preferences between the Court,  
magistrate, or a mediator to  
resolve the issues and 3) a  
schedule for resolving the  
issues. (So ordered)  
Sincerely  
U.S. D.J.

August 8 and August 26 or on September 2nd due to long-planned family vacations and previously-scheduled court appearances.

Respectfully,

/s/

Amy J. Weinblatt  
Jerald Horowitz  
Assistant Corporation Counsels  
Counsel for Defendants

/s/

Norman Siegel  
Daniel Ackman  
Counsel for Plaintiffs